

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions and listing of claims in this application:

**LISTING OF CLAIMS**

Claims 1-28. Canceled.

Claim 29. (Currently Amended) An isolated DNA molecule comprising a nucleotide sequence encoding an N-methyl transferase of SEQ ID NO:1 and having the N-methyl transferase enzyme activities of 7-methylxanthine N3 methyl transferase, theobromine N1 methyl transferase, and paraxanthine N3 methyl transferase.

Claim 30. (Currently Amended) An isolated DNA molecule comprising a modified nucleotide sequence ~~which having at least 90% identity hybridized under stringent conditions to the complementary strand of the nucleotide sequence of Claim 29, where the polypeptide encoded by said modified nucleotide sequence maintains all of said N-methyl transferase enzyme activities and where hybridization of the modified nucleotide sequence to the complementary strand is carried out by the steps of~~

~~i. preparing a blocking reagent by preparing a solution consisting of 100 x Denhardt's solution, 2 % (Weight/Volume) bovine serum albumin, 2 % (Weight/Volume) Ficoll 400, 2 % (Weight/Volume) polyvinyl pyrrolidone at a 5-fold concentration and diluting the resultant solution to 1/20;~~

ii. ~~preparing a hybridization buffer consisting of 0.1 wt. % sodium dodecyl sulfate, 5 wt. % Dextran sulfate, 1/20 volume of the blocking reagent and 2 to 7 x SSC provided that 20 x SSC is a 3M sodium chloride and 0.3M citric acid solution;~~

iii. ~~treating a membrane to which the modified nucleotide sequence is transferred with a hybridization buffer including the complementary strand labeled by a label as a probe at a temperature between 40 to 80°C for at least several hours necessary for the hybridization;~~

iv. ~~washing the membrane in a washing buffer; and~~

v. ~~identifying the probe thus hybridized to the modified nucleotide sequence on the membrane.~~

Claim 31. (Currently amended) An The isolated DNA molecule ~~as claimed in~~ of claim 30, wherein said modified nucleotide sequence encodes the N-methyl transferase of SEQ ID NO:1.

Claim 32. Canceled.

Claim 33. (Currently Amended) The isolated DNA molecule ~~as claimed in~~ of claim 29 or 32, wherein said isolated DNA molecule consists of SEQ ID NO:2.

Claim 34. (Currently Amended) An isolated RNA molecule comprising a nucleotide sequence encoding an N-methyl transferase of SEQ ID NO:1 and having the N-methyl transferase enzyme activities of 7-methylxanthine N3 methyl transferase, theobromine N1 methyl transferase, and paraxanthine N3 methyl transferase.

Claim 35. (Currently Amended) An isolated RNA molecule comprising a modified nucleotide sequence ~~which hybridizes under stringent conditions to the complementary strand~~ having at least 90% identity to the nucleotide sequence of Claim 34, where the polypeptide encoded by said modified nucleotide sequence maintains all of said N-methyl transferase enzyme activities ~~and where hybridization of the modified nucleotide sequence to the complementary strand is carried out by the steps of~~

- ~~i. preparing a blocking reagent by preparing a solution consisting of 100 x Denhardt's solution, 2 % (Weight/Volume) bovine serum albumin, 2 % (Weight/Volume) Ficoll 400, 2 % (Weight/Volume) polyvinyl pyrrolidone at a 5-fold concentration and diluting the resultant solution to 1/20;~~
- ~~ii. preparing a hybridization buffer consisting of 0.1 wt. % sodium dodecyl sulfate, 5 wt. % Dextran sulfate, 1/20 volume of the blocking reagent and 2 to 7 x SSC provided that 20 x SSC is a 3M sodium chloride and 0.3M citric acid solution;~~
- ~~iii. treating a membrane to which the modified nucleotide sequence is transferred with a hybridization buffer including the complementary strand labeled by a label as a probe at a temperature~~

~~between 40 to 80°C for at least several hours necessary for the~~  
~~hybridization;~~

~~iv. — washing the membrane in a washing buffer; and~~

~~v. — identifying the probe thus hybridized to the modified nucleotide~~  
~~sequence on the membrane.~~

Claim 36. (Currently Amended) An ~~An~~ The isolated RNA molecule of claim 35, wherein  
said modified nucleotide sequence encodes the polypeptide of SEQ ID NO:1.

Claim 37. Canceled.

Claim 38. (Currently Amended) The isolated RNA molecule ~~as claimed in~~ of claim 34 or  
37, wherein said isolated RNA molecule consists of SEQ ID NO:3.

Claim 39. (Currently Amended) An expression vector comprising the DNA molecule ~~as~~  
~~claimed in~~ of claim 29[[,]] and a plant promoter, wherein ~~the~~ said vector  
expresses ~~the~~ N-methyl transferase in plant cells.

Claim 40. (Currently Amended) An expression vector comprising the DNA molecule ~~as~~  
~~claimed in~~ of claim 30[[,]] and a plant promoter for expressing an N-methyl  
transferase encoded by the DNA molecule in plant cells.

Claim 41. (Currently Amended) A vector comprising a ~~the~~ the DNA molecule ~~as claimed in~~  
of claim 29.

- Claim 42. (Currently Amended) A vector comprising ~~a~~ the DNA molecule ~~as claimed in~~  
of claim 30.
- Claim 43. (Currently Amended) The vector ~~as claimed in~~ of claim 41, wherein ~~the~~ said  
vector expresses an N-methyl transferase with 7-methyl xanthine N3 methyl  
transferase, theobromine N1 methyl transferase, and paraxanthine N3 methyl  
transferase activities in cells of at least one ~~of microorganisms or plants~~  
microorganism or plant.
- Claim 44 (Currently Amended) The vector ~~as claimed in~~ of claim 42, wherein ~~the~~ said  
vector expresses an N-methyl transferase with 7-methyl xanthine N3 methyl  
transferase, theobromine N1 methyl transferase, and paraxanthine N3 methyl  
transferase activities in cells of at least one ~~of microorganisms or plants~~  
microorganism or plant.
- Claim 45 (Currently Amended) A plant cell, plant tissue, or whole plant, wherein ~~the~~  
said plant cell, plant tissue, or whole plant is transformed with the vector ~~as~~  
~~claimed in~~ of claim 41 or 43.
- Claim 46. (Currently Amended) A plant cell, plant tissue, or whole plant, wherein ~~the~~  
said plant cell, plant tissue, or whole plant is transformed with the vector ~~as~~  
~~claimed in~~ of claim 42 or 44.
- Claim 47. (Currently Amended) The plant cell, plant tissue, or whole plant ~~as claimed in~~  
of claim 45, wherein ~~the~~ said vector is introduced by infection.

- Claim 48. (Currently Amended) The plant cell, plant tissue, or whole plant ~~as claimed in~~ of claim 46, wherein the said vector is introduced by infection.
- Claim 49. (Currently Amended) A method for producing a plant secondary metabolite selected from the group consisting of 7-methyl xanthine, paraxanthine, theobromine, and caffeine wherein the said method comprises
- culturing the transformed plant cell, plant tissue, or whole plant ~~as claimed in~~ of claim 45 to form a plant body, and
- culturing said plant body to produce a plant secondary metabolite, wherein said plant cell, plant tissue, or whole plant is a Camellia or a Coffea plant cell, plant tissue, or whole plant.
- Claim 50. (Currently Amended) A method for modifying the concentration of caffeine in a cell wherein the said method comprises:
- culturing the said plant cell or plant tissue ~~as claimed in~~ of claim 45 to form a plant body, and
- culturing said plant body to modify the concentration of caffeine, wherein said plant cell or plant tissue is a Camellia or a Coffea plant cell or plant tissue.
- Claim 51. (Currently amended) The method ~~as claimed in~~ of claim 49, wherein said transformed whole plant ~~are~~ is a cultured Camellia plant or a cultured Coffea plant.
- Claim 52. (Currently Amended) A vector encoding the RNA molecule ~~as claimed in~~ of claim 34.

- Claim 53. (Currently Amended) A vector encoding the RNA molecule ~~as claimed in~~ of claim 35.
- Claim 54. (New) The isolated DNA molecule of Claim 30, wherein said modified nucleotide sequence has at least 90% identity to the nucleotide sequence of Claim 29.
- Claim 55. (New) The isolated RNA molecule of Claim 35, wherein said modified nucleotide sequence has at least 95% identity to the nucleotide sequence of Claim 34.